

Practitioner's Docket No. NA11P157/00.091.01

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Martin J. Lucas et al.

Application No.: 09/678,010

Group No.: 2131

Filed: October 3, 2000

Examiner: Chen, S.

For: PROVIDING BREAK POINTS IN VIRUS SCANNING OPERATION

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NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES  
(37 C.F.R. § 1.191)

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed June 3, 2004, finally rejecting claims 1-30.

I. STATUS OF APPLICANT

This application is on behalf of other than a small entity.

CERTIFICATION UNDER 37 C.F.R. " 1.8(a) and 1.10"  
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37 C.F.R. § 1.8(a)

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37 C.F.R. § 1.10\*

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9/27/2004

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*Erica L. Farlow*

Erica L. Farlow

(type or print name of person certifying)

\* Only the date of filing (" 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under " 1.8 continues to be taken into account in determining timeliness. See " 1.703(f). Consider "Express Mail Post Office to Addressee" (" 1.10) or facsimile transmission (" 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

Notice of Appeal from the Primary Examiner to Board--page 1 of 2

2. **FEE FOR FILING NOTICE OF APPEAL**

Pursuant to 37 C.F.R. § 1.17(b), the fee for filing the Appeal Brief is:

|                           |          |
|---------------------------|----------|
| Other than a small entity | \$330.00 |
| Notice of Appeal fee due  | \$330.00 |

3. **EXTENSION OF TERM**

The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)(1)-(4)) for one month:

|     |          |
|-----|----------|
| Fee | \$110.00 |
|-----|----------|

If an additional extension of time is required, please consider this a petition therefor.

4. **TOTAL FEE DUE**

The total fee due is:

|                      |          |
|----------------------|----------|
| Notice of Appeal fee | \$330.00 |
| Extension fee        | \$110.00 |

**TOTAL FEE DUE \$440.00**

5. **FEE PAYMENT**

Authorization is hereby made to charge the amount of \$440.00 to Deposit Account No. 50-1351 (Order No. NA11P157).

Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this transmittal is attached.

6. **FEE DEFICIENCY**

If any additional extension and/or fee is required, and if any additional fee for claims is required, charge Deposit Account No. 50-1351 (Order No. NA11P157).

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Signature of Practitioner  
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Notice of Appeal from the Primary Examiner to Board--page 2 of 2